

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

DYVEX INDUSTRIES, INC.,	:	
Plaintiff,	:	
v.	:	
AGILEX FLAVORS & FRAGRANCES, INC., et al.,	:	Civil No. 12-CV-0979
Defendants and Third Party Plaintiffs,	:	(JUDGE MANNION)
v.	:	
BUSS, INC. & FRANK MANCHIO,	:	
Third Party Defendants	:	

ORDER

IT IS HEREBY ORDERED:

1. The motion to dismiss filed by third-party defendant Frank Manchio, (Doc. No. [17](#)), is **GRANTED IN ITS ENTIRETY**.
2. To the extent third-party plaintiffs intended to plead direct liability claims, the motion to dismiss those claims, (Doc. No. [17](#)), is **GRANTED**.
3. The motion to dismiss the indemnity claims, (Doc. No. [17](#)), is **GRANTED** because third-party plaintiffs concede to their dismissal.
4. The motion to dismiss the contribution claims, (Doc. No. [17](#)), is **GRANTED** with respect to the breach of contract and breach of

warranty claims because third-party plaintiffs concede to their dismissal.

5. The motion to dismiss the request for punitive damages, (Doc. No. [17](#)), is **GRANTED** as to all claims because the motion is unopposed in this regard.

s/ *Malachy E. Mannion*
MALACHY E. MANNION
United States District Judge

DATE: August 26, 2013

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